



## Council Policy

### 12.7 EVENTS POLICY

#### PURPOSE

Events play an important role in strengthening the community and provide significant economic, social and cultural benefits. The Colac Otway Shire seeks to ensure that all events held on Council land enhance the resident, participant and visitor experience whilst being conducted in a safe manner in accordance with the Local Law No: 2 (General Local Law) for events.

To provide a framework for Council to support and assess events managed both internally by Council Officers and by external parties, including community groups, commercial entities and individuals. This policy aims to provide clarity; outlining roles and responsibilities to support event organisers in the delivery of events in accordance with the legislative and regulatory regime applicable at the time.

#### SCOPE

The Policy applies to outdoor events and activities within Colac Otway Shire which are of a size and nature that may impact on residents, businesses and other users and are to be conducted on public spaces and/ or roadways under the care and control of the Colac Otway Shire Council.

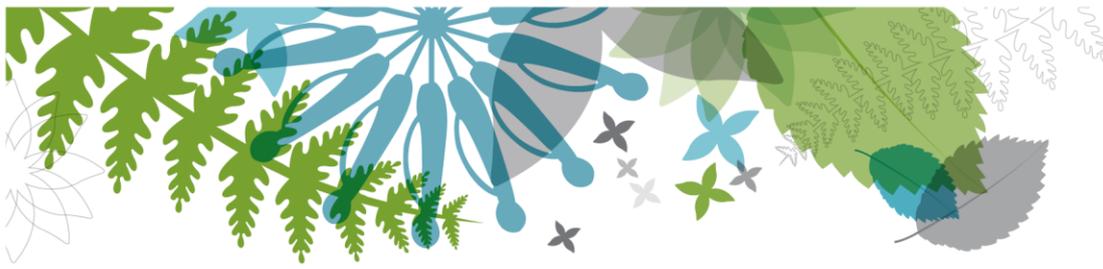
The Policy applies to events whether they are organised by a not-for-profit, commercial entity, Council or State or Federal agency that meet one or more of the following criteria:

1. Will likely attract 50 attendees or more
2. Are ticketed or are charging participants a fee to access the event site
3. Involve amplified sound
4. Are catered by an external supplier who is bringing any temporary cooking equipment or vehicles onsite
5. Involve inflatable structures, carnival rides, animal nurseries or other animal related entertainment
6. Involve fireworks
7. Involve a road closure or modified traffic conditions (vehicle and pedestrian)
8. Require exclusive use of Council owned or managed parks, open spaces and roadways or will impact the use of public land or normal public activities
9. Require use of power (on-site power or generators)
10. Require vehicles to be driving on site (including vehicle access to drop off equipment)
11. Involves installation of infrastructure, such as temporary fencing, marquees, or bringing in cooking equipment in excess of two barbecues. (Note: chairs and tables, or market umbrellas - limited to four - are not considered infrastructure)
12. Are a wedding
13. Involves consumption of alcohol
14. Involve other high risk event attractions

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The policy does not apply to events held solely indoors that are covered by the venue hire arrangements, activities permitted under recreation reserve user agreements or other gatherings that are not held on council owned or managed land (e.g. private property or land managed by another agency).

Council will not become involved in events held on Crown land, land managed by another authority and/or private land, unless there is an impact on the community or where Council is the event organiser.

The policy excludes civic events delivered by the Colac Otway Shire such as Australian Citizenship Ceremonies.

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## DEFINITIONS

**Accessible Event** - Maintaining an event where anybody can participate in comfort without any limitations.

**Affected Community** - Owners and/or occupiers of properties in the immediate vicinity including all the abutting property occupiers to the road/street closure. This also applies to members of the general public who use public reserves.

**Charitable Organisation** - According to the The Charities Act 2013 (Cth), to be a recognised as a charity, an organisation must:

- be not-for-profit
- have only charitable purposes that are for the public benefit
- not have a disqualifying purpose
- not be an individual, a political party or a government entity.

**Communication Plan** - A written plan outlining the methods and implementation process for communicating information regarding road closures proposed for the event.

**COS** - Colac Otway Shire.

**Council** - Colac Otway Shire Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.

**Council Officer** - the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

**Emergency Response Plan** - a set of written procedures for dealing with emergencies that minimize the impact of the event and facilitate recovery from the event.

**Event** - means any planned activity open to the public held on Council owned or managed land where any structure (permanent or temporary), open area, or road, (fenced or unfenced) will contain a number of persons greater than that normally found in that area or location at one time. This activity may affect the location surrounding the area prior to, during or after the activity, and includes:

- sporting activities, whether conducted in an enclosed or unenclosed ground/venue (but does not include a regular, locally focussed and organised sporting competition at a venue built for that sport);

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- one off or annual events such as religious meetings held in parks/sporting venues, rock concerts, promotional events and the like;
- live performances and concerts; and
- festivals.

**Event Impact** - Any adverse impact on the amenity of the local area.

**Event Organiser** - any individual, group or entity who undertakes the planning, control, management and/or implementation of an event.

**Full Road Closure** - entire road is closed between designated points.

**High Risk Event** - Events that may include but not limited to one or more of the following considerations; high density or large number of participants, in an isolated or remote location, during a fire danger period or includes other high risk activities.

**Notification Process** - The communication method of approved road closure information relating to road closure areas and times to the affected community.

**Notification Area** - Area of identified residents and/or traders who are deemed to be affected by the road closures.

The notification area is to include:

Occupiers of properties whose:

- frontage is within the closed section or the proposed detour; and
- primary/only access is via the closed section; and
- Property is in close proximity to the road closure and therefore could be affected.

Businesses/services that normally use the closed road as a primary route (or have stops within) including but not limited to:

- Bus companies;
- Transport companies; and
- Operators of milk tankers and other large agricultural machinery

**Partial Road Closure** - a portion of the road width is closed between designated points.

**Private Land** - any land which is not Council land nor land occupied or under the control or management of a public body

**Public Reserves** - A Public Reserve is any land which is owned, occupied or managed or controlled by Council and dedicated or used for outdoor cultural, environmental, sporting or recreational purposes.

**Road Closure (Temporary)** - The temporary closure of a road to public vehicular traffic for a set time period as required for the holding, set up and set down of an event.

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## REFERENCES

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Council is committed to ensuring that events are run safely and all compliance requirements are met, whilst minimising negative impacts upon the community.

The event approval process will require event applicants to demonstrate compliance with legislative requirements such as those outlined in:

- Building Act 1993
- Building Regulations (2006)
- COS Local Law
- COS planning scheme
- Crown Land (Reserves) Act 1978
- Environmental Protection Act 1970
- Food Act 1984
- Fundraising Act 1998
- Liquor Control Reform Act 1998
- Local Government Act 1989
- Major Sporting Events Act 2009
- Municipal Emergency Management Plan
- Occupational Health and Safety Act 2004
- Planning and Environment Act 1987
- Road Management Act 2004
- Transport Act (1983)
- Victorian Legislation
- Working with Children Act 2005

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## STATEMENT OF POLICY

### VALUES

In setting out this Policy, Colac Otway Shire Council recognises events are important to our community; they contribute to the liveability, economy and vibrancy of the area. Events play a significant role in helping us to deliver on the Colac Otway Shire 2050 community vision to position the Colac Otway Shire as a destination where people come to appreciate our unique and diverse environment and friendly communities.

Council’s regulation and assessment of events proposed on council owned or managed land will be subject to the following principles:

- Community Safety and Risk Planning
- Impacts on community assets are managed
- Impacts on residents and local businesses are managed
- Colac Otway Shire’s range of events are diverse and inclusive
- Events employ sustainable practices
- Locally owned and operated businesses are preferred

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- Ratepayers do not subsidise events
- Events maximise the economic, social and cultural benefit for the local community

Exercising sole discretion, Council may choose not to provide material support to events which are deemed to compromise Council or community standards in which no further correspondence will be entered.

Council will not permit events held on council owned or managed land which are deemed inappropriate due to their association with or promotion of (including but not limited to):

- Any illegal activity
- Any activity that does not adhere to relevant legislation, other permits, approvals or permissions required from Council and/or other authorities
- Tobacco or gambling (in line with relevant Council bylaws and policies)
- Offensive or sexually explicit material
- Discrimination on the grounds of race, gender or religion
- Activities violating human rights
- Political parties

## PUBLIC SPACES

For the purpose of this Policy, public spaces refer to any outdoor space or land owned or managed by Council for the purpose of public utility or access. This may include parks, playing fields, gardens, reserves, river and creek frontages, streets, footpaths, nature strips, public transport stops and stations. It does not include privately owned land.

Public reserves are designed with the intention to be used for outdoor cultural, environmental, sporting or recreational purposes. Applications to host events that will restrict or exclude general public access and utilisation of these areas will be carefully considered in terms of the event's contribution and benefit to the local community whilst ensuring local amenity and public safety are duly considered.

Depending on the impact of the proposed event on public access and utilisation of the public reserve, event notification may be required (see Event Notification).

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## EVENT NOISE AND AMENITY

Community events should seek to build upon the community vision by providing a welcoming, healthy and safe experience with no foreseen negative impact on the region's natural and built environment.

In an effort to minimise potential negative impacts of the event on public amenity, event organisers should adopt a strategic approach that seeks to liaise with key stakeholders, such as emergency services and Council departments to ensure their support for the event.

Event organisers have an obligation to ensure that their event complies with all requirements as set out by the EPA in relation to noise levels. Event organisers may be required to undertake a notification process prior to the event for any events that will generate significant noise or disruption for local residents/businesses (see Event Notification).

## SAFE AND INCLUSIVE

Council is committed to building a community that is safe and inclusive. Community events held in public spaces provide an opportunity to work with the community to achieve this.

## CHILD SAFE STANDARDS

The Colac Otway Shire has zero tolerance for child abuse and is committed to creating and maintaining a child safe culture where protecting children and preventing and responding to child abuse is embedded in the everyday thinking of all facets of the organisations operations including community events. All children and young people who attend events and community spaces have a right to feel safe, be safe, and be heard.

This policy seeks to maintain a child safe environment, and value a culture of safety within the events community and wider Colac Otway Shire area, by raising awareness of the Working with Children Act 2005 which outlines expectations for appropriate behaviour in engaging with children.

## INCLUSIVE AND ACCESSIBLE EVENTS

The Colac Otway Shire *Access, Equity and Inclusions Plan* outlines the vision for the shire as a "community [that] will embrace and celebrate diversity" where "all residents will have the same opportunities to participate in the life of the community to the extent they choose". This extends to the events community which should seek to further this vision by promoting inclusive events that openly embrace and celebrate diversity to connect our community. Everyone has a right to equal access to events and by making events feel welcoming and inclusive for everyone, people feel safer, stay longer and enjoy themselves more.

Event organisers are required to demonstrate how they plan to maximise accessibility and inclusiveness in all event in a public place applications.

For further information on accessibility or areas for consideration when organising an event please refer to the Victorian State Government Accessible events guidelines.

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## SUSTAINABLE EVENTS & WASTE MANAGEMENT

Colac Otway Shire Council is committed to ensuring that waste is minimised and effectively managed at all events held in Council owned or managed spaces.

Council will promote and facilitate best practice resource recovery and waste management at all events held within the Local Government Area (LGA), particularly those held on council land, while continuing to address community expectations of environmentally sustainable strategies.

Council recognises that events generate waste, in the form of rubbish, energy and water - waste that could be avoided, reduced, reused, recycled or composted. As part of the commitment to decreasing the impact of this waste on the local community and environment, waste management requirements have been incorporated into the application process for events being held on Council owned or managed land and facilities.

A permit will only be provided for any event that:

1. Does not use or distributes single use plastics or products including but not limited to bags, straws, cups, cutlery, balloons, bottled water
2. Has a waste management plan including recycling options and waste mitigation strategies
3. Demonstrates how the site will be returned to pre-event condition

## EVENT SITE SELECTION

Event organisers are encouraged to contact Council early in the event planning process to discuss appropriate site selection. Site selection should consider if the site is appropriate for the nature of event to minimise environmental impacts.

## RISK MANAGEMENT

The Colac Otway Shire takes risk management and the safety of the community seriously. When we entrust public space to an event organiser, this is on the basis that a relevant risk assessment will be undertaken and that the event organiser is intent upon managing a compliant and safe workplace and is equally intent on protecting the public and the asset.

The event approval process requires a rigorous risk minimisation process consistent with Council's Risk Management Policy.

## PUBLIC LIABILITY INSURANCE

All event organisers are required to have a current public liability policy of insurance. The policy must:

1. Be in the name of the event organiser to the amount of \$20 million
2. Cover all of the event activities including setting up, staging and dismantling the event
3. Extend cover to the Colac Otway Shire for claims for personal injury or property damage arising out of negligence of the event organiser.

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It is a requirement that the Colac Otway Shire is noted on the certificate of currency as an “Interested Party” with the exception of some situations approved by Council’s Risk department. The certificate of currency must:

1. State the level of cover
2. Period of cover and
3. Any exclusion clauses.

Any conditions and exclusions must be approved by the Colac Otway Shire.

Approval for the event cannot be granted until the Events Officer has sighted the Certificate of Currency and/or a copy of the insurance policy.

In some circumstances the event organiser may be required to provide certificates of currency to Council for professional firm’s providing services to the event.

## INDEMNITY

All event organisers are required to complete and sign the Colac Otway Shire’s Form of Indemnity.

In doing so the event organiser agrees to indemnify, and to keep indemnified, the Colac Otway Shire, its servants and agents, and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever, which may be brought or made or claimed against them, or any of them, in connection with the event.

## RISK ASSESSMENT

It is a requirement of the Event in a Public Place Permit application that the event organiser provides an event risk assessment (for events deemed low risk) or a risk management plan (for medium-high risk events) that considers key risks and mitigation procedures to the satisfaction of Council.

## BUSHFIRE AND EMERGENCY MANAGEMENT

Colac Otway Shire Council has a key role in ensuring events are conducted safely, in accordance with good practice and that the community is aware of events as well as their potential impacts. Emergency situations can arise at any time and in any place, whether it is a large-scale natural or weather-related disaster, fire, acts of violence, terrorism or pandemic, accident, illness, or death. It is critical that the event application process addresses emergency management, bushfire prevention, preparedness and recovery.

An event organiser has no greater responsibility than ensuring the health and safety of their attendees.

An Emergency Management Plan, including an Evacuation Plan, should be made in accordance with ASNZ4360 (2004) for Emergency Risk Management and AS3745 (2010) Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces.

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High-risk events must have a formally documented Emergency Response Plan developed in consultation with emergency services representatives. Once adopted, it should be made available to key on site event personnel, stakeholders and emergency services.

The Colac Otway Shire Risk and Emergency Management plan template has been developed to guide event organisers in developing their Emergency Management Plan. It is a requirement of the Event in a Public Place permit application that the event organiser provides an emergency and where applicable bushfire management plan that considers keys risks and procedures to the satisfaction of the emergency management department.

### FIRE DANGER RATING DAYS

Colac Otway Shire is in a high fire risk region and all events within the fire danger period or at council discretion, are required to complete a Bushfire Readiness 4 Steps form which will summarise your Fire Plan in addition to addressing fire risk in their own Event Emergency Management Plan. Fire Safety refers to your preparedness in bushfires, grass fires and structural fires.

During the months from October to April fire danger is high in the Colac Otway Shire. Event organisers should consult with the CFA as to how best prepare for the likelihood of a bushfire. On days of total fire ban, it is a requirement to obtain a permit from the fire services to use an open flame for any purpose, including cooking, heating for temporary stalls marquees or in the open.

Event organisers are also required to notify emergency services of their event and any impact it may have on the provision of emergency services (see Event Notification).

### TRAFFIC & PEDESTRIAN MANAGEMENT

If an event will interfere with the normal use of a road by road users, including parking, public gathering, signage and infrastructure on the road, a traffic management plan is required.

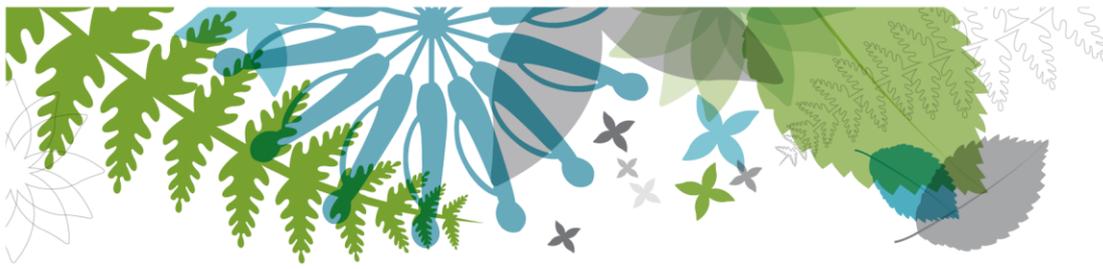
Under current legislation, a registered, qualified and accredited individual or company must prepare a Traffic Management Plan when events require changes to current traffic conditions, including road closures, parking, pedestrian and cyclist access. As such, a Traffic Management Plan, in accordance with AS1742.3, should be submitted to Council along with the completed Council Memorandum of Authorisation (MOA) and Risk Assessment (RA) documentation. Applications for full road closures must be made to Council at least 3 months prior to the event. Applications for partial road closures i.e. lane closures, or another lower impact traffic management treatments must be made to Council at least 2 months prior to the event.

Arterial roads are the responsibility of the Department of Transport, and Local Roads are the responsibility of Council. The Responsible Authority of the roads involved in the event will be reviewed when the application is submitted.

Where Department of Transport roads are utilised, the applicant will be required to provide the relevant written approval from Department of Transport permitting the use of the road to both the Events Officer, for the Event in a Public Place permit application, and where applicable to the Infrastructure Department, for the MOA Application to utilise local roads.

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Part of Council’s commitment to minimising the impact on our residents and local business operators, is to give as much notification as possible, by working with event organisers to ensure they are well informed and aware of any changed traffic conditions (see Event Notification).

Applications to alter pedestrian and/or vehicle traffic for the purpose of an event will be assessed according to:

1. The level of community “host tolerance”
2. The impact of the changes to traffic on local amenity
3. Impact on public parking and arrangements for event patron parking - Parking and/or park and ride must be detailed on site plans
4. The extent to which the proposed traffic changes influence the event’s ability to contribute to and benefit the local community.

Patron access must be planned to ensure there is minimal disruption to neighbouring businesses or homes and to ensure clear access by emergency services and event staff.

## EVENT FENCING

Requests for the installation of temporary fencing are assessed as part of the event in a public place permit approval process. Applications for temporary fencing must address the following:

1. Installation of fencing prior to bump in and following the conclusion of bump out
2. Installation carried out by a professional fencing company ensuring quality material, correct installation and adequate public liability insurance
3. Layout should give consideration to public amenities and facilities (e.g. toilet and playground access)
4. Include considerations specific to the installation of the temporary fencing by the qualified installer in the event risk assessment

Installation of temporary fencing around a designated area for the purpose of an event will only be permitted upon the issue of an Event in a Public Place permit. Approval will be conveyed utilising a special permit condition outlining the permitted dates and times for the temporary fencing to be installed and disassembled.

## EVENT NOTIFICATION

To maintain a balance between the impact of events and the benefits they provide to the local community, significant importance is placed on notification to ensure the community are kept informed of any changes that may involve reduced access to public spaces and facilities, amplified noise, and changes to traffic conditions.

Event organisers are responsible for all costs associated with event notification activities. A sufficient notification period prior to the event is required suitable to the size and level of impact of the event on the community.

Notification may include but is not limited to:

- Letters to the affected community particularly those along the event route
- Advance notification signage placed along the event route

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- Electronic VMS signage placed along the event route
- Advertisements in local papers
- Social media notification
- Radio advertising
- Community information sessions
- Notification to relevant emergency services and external agencies
- Listing on the Colac Otway Shire events calendar

## CHANGED TRAFFIC CONDITIONS

The extent of notification required for events that involve changed traffic conditions will be determined based on the perceived impact on the affected community as a result of the proposed changes. The notification area will be identified accordingly and conveyed to the event organiser to guide their notification activities.

## PUBLIC TRANSPORT

Under the State's Transport Act, organisers of events in Victoria are required to notify the Public Transport Division of Public Transport Victoria (PTV), if there is an event that is likely to have an impact on public transport services (trains, trams or buses). For information please visit the PTV website.

## EMERGENCY SERVICES

Emergency services (refers to services such as Ambulance Victoria, Victoria Police and Fire Rescue Victoria etc.) must be notified that the event is taking place and should also be involved in emergency management planning for the event.

Emergency Services must be advised of all road closures or changes to traffic conditions as well as other impacts the event may have on their services.

Proof of emergency service notification is required as part of the event in a public place permit application.

## RESTRICTED ACCESS TO PUBLIC AMENITIES AND/OR FACILITIES

Whereby an event has exclusive use of a public space and therefor prevents or restricts access to public facilities or amenities, notification may be required. The extent of the communications will be guided by the perceived community impact at the discretion of Council Officers.

## PERMIT REQUIREMENTS

The Event in a Public Place Permit is governed by the Local Law No: 2 (General Local Law). A permit is required when an event meets any of the definitions outlined in the 'Scope' section of this document.

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## FEES

Council sets fees and charges for event related permits which are reviewed annually as part of Council's annual budget process. All fees payable in relation to events must be paid prior to issue of a permit and the commencement of the event.

Where the permit application is submitted by a registered **charitable organisation**, an exemption from paying the permit fee may be given.

## TIMELINES AND COMPLIANCE

The event organiser must comply with all conditions of the permit issued for the event.

Where the event directly involves other land managers or external authorities, written approval for the use of land and/or support for the event is required to be provided as part of the event in a public place application process. It is the responsibility of the event organiser to provide such documentation in support of their application.

Where advice or approval is given by external agencies, evidence of that advice will be required in writing. It is the responsibility of the event organiser to obtain this evidence and provide it to Council before the event permit can be issued. Only in special circumstances (at Council's discretion) can a special condition be used in place of receiving written approval before issuing of the permit.

Should Council have concerns with the event management capability of the organisers or feel that it does not reflect Council's objectives and/or community needs, Council reserves the right to refuse event approval and/or marketing of the event.

Issue of an event in a public place permit is subject to the event providing all necessary documentation and obtaining all required approvals (both internal Council approvals and external agency approvals).

Depending on the type of event, Council will require between 8 weeks and 12 months to assess an event. Authorities and emergency services require up to 3 months depending on the issue.

Events are generally classified by the level of risk as Level One, Level Two or Level Three events, however as each event varies in its impact, the application timelines below is a guide only. Council should be notified of the event and applications lodged as early as possible to enable time for the event to be assessed. Permits may not be granted to events outside of the timelines.

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Event Type	Event Parameters	Application Timelines
Level Three (Low impact)	<ul style="list-style-type: none"> <li>• Attendance &lt;500 people in a single location</li> <li>• no road closures or public transport impacts</li> <li>• minimal infrastructure</li> <li>• no trading</li> <li>• Examples: small community events and group gatherings.</li> </ul>	8 weeks (minimum)
Level Two (Medium impact)	<ul style="list-style-type: none"> <li>• Attendance 500-3,000 people</li> <li>• road closures and public transport disruptions</li> <li>• some infrastructure - marquees and amusement rides</li> <li>• food and beverage trading</li> <li>• Examples: small fun runs, music events, cultural celebrations.</li> </ul>	3 to 6+ months
Level One (High impact)	<ul style="list-style-type: none"> <li>• Attendance &gt;3,000 people</li> <li>• multiple road closures and event sites</li> <li>• more infrastructure - marquees, amusement devices and stages</li> <li>• food, beverage and other trading</li> <li>• site is of a sensitive and/or high risk nature that may require consultation with other agencies</li> <li>• Examples: parades, large sporting, music and cultural events.</li> </ul>	6 to 12 months

## PUBLIC RALLIES & DEMONSTRATIONS

Rallies, public protests and demonstrations do not require permission from Council, however, we encourage you to make contact with Council's events team and Victoria Police to ensure that the proposed location to the rally or protest site is available. This allows Council to plan for impacts to parks, public spaces, streets and footpaths and to notify affected businesses and services.

## EVENT SUPPORT

Council's Grants Program provides an opportunity for a wide range of organisations and businesses to share in funding for a variety of events within the Colac Otway Shire.

## COUNCIL AUTHORITY AND INSPECTION

All events will be subject to regular inspections by Colac Otway Shire Council officers (admission must be granted free of charge for the purpose of the inspection) to ensure compliance with the provision and conditions of the issued permit and all other relevant government legislation including Occupation, Health and Safety.

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## TERMINATION

Colac Otway Shire Council reserves the right to terminate a permit if:

- a) Permit conditions are breached
- b) Any laws are broken
- c) A misrepresentation is identified in the application.

## ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. However, any change or update which materially alters this document must be by resolution of Council.

## DOCUMENT CONTROL

Policy owner		Manager Economy & Business Enterprises	Division	Community & Economy
Adopted by council			Policy Number	12.7
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